

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION

FILED
SEP 24 2009

TERESA L. DEPPNER, CLERK
U.S. District Court
Southern District of West Virginia

PIERRE LAHENS,
Plaintiff,

Civil Action No.: 5:09CV00812

v.

DAVID BERKEBILE, Warden
FCI Beckley, et al.,
Defendant.

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOW COMES, the plaintiff, Pierre Lahens acting pro se, without the assistance of counsel, and respectfully urges the Honorable Court for a dismissal of actions within the meaning of Rule 41(B) of the Federal Rules of Civil Procedure in which he may file the same meritorious claims at anytime in the above-entitled matter.

In support thereof, Mr. Lahens states the following:

1. Mr. Lahens has received notice of acknowledgement of a new civil action case from this Court that an Application to Proceed in forma pauperis, Discovery disputes, and Discovery disputes which arise post-judgment is to be filed.

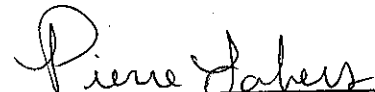
2. Mr. Lahens who is representing himself on a pro se basis, was currently in Administration Segregation at Federal Constitution

Institution, Beckley was transferred to a new institution United States Penitentiary Canaan on the 27th day of July, 2009.

3. Being that he was transferred to a new institution he now has access to exhaust the inmate grievance procedures or administrative appeals for each count in his complaint.

WHEREFORE, Mr. Lahens humbly and respectfully request grant this dismissal of action without prejudice to exhaust his available administrative remedies before continuing his civil right complaint.

Respectfully submitted,



Pierre Lahens, Pro Se
Reg No.: 72885-004
U.S.P. Canaan
P.O. Box 300
Waymart, PA 18472

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing motion has been sent this 23rd day of September, 2009, by regular U.S. Mail with sufficient postage affixed to insure delivery to the Defendant Mr. Berkebile, P.O. Box 1280, Beaver, West Virginia 25813.



Pierre Lahens, Pro Se

72885-004

Pierre Lahens Pro se
U.S.P Canaan
Post Office Box 300
Waymart, PA - 18472
United States

Legal Correspondence"

48 United States Code Sections
1701, 1703 Invoke for Interference
with this Mail is a Felony Offense

SECRET

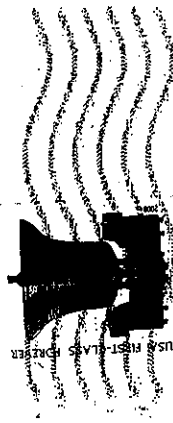
72885-004

Robert C Byrd
Legal Correspondence
110 North Heber Street
Room 119
Beckley, WV - 25801
United States

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BOOK REVIEW



Date: 9/22/09

The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has been neither opened nor inspected. If the writer raises a question or problem over which this facility has jurisdiction, you may wish to return the material for further information or clarification.

USP Canaan
Waymart, PA 18472